Secds. II-97—100,000—21-5-52.

HOME (1950) Department.

MS. SERIES.

p.7(E)

G.O. No. 2809

Dated 22-6-1949.

[Despatch Abstract.]

HOME GUARDS - The Madras Home Guards Act, 1948 (Act I of 1948) Rules under Section 10 - Issued.

GOVERNMENT OF MADRAS.

Abstract.

HOME GUARDS - The Madras Home Guards Act, 1948 (Act I of 1948) - Rules under section 10 - Issued.

- -

HOME DEPARTMENT.

G.O.No.2609, Dated the 25th June 1949.

Read--the following papers:-

From the Inspector-General of Police, dated 17th August 1948, Rc.No.518-W/48, and dated 24th March 1949 No.2346-W/48.

ORDER:

The following notification will be published in the Fort St. George Gazette:-

NOTIFICATION.

Home In exercise of the powers conferred by section 10 of the Madras Guards Rules Act, 1948 (Madras Act I of 1948), His Excellency the Governor of Madras hereby makes the following rules:--

RULES

1. Short title. - These rules may be called the Madras Home Guards Rules, 1949.

2. Definitions. - In these rules, unless there is anything repugnant in the subject or context--

(i) "the Act" means the Madras Home Guards Act, 1948 (Madras Act I of 1948)

(ii) "area" means the presidency town or any other area in the Province in which the Act is for the time being in force

(iii) "Form" means a form appended to these rules.

3. Recruitment and appointment. - (1) No person shall be eligible for appointment as a Home Guard unless he--

(a) is not less than 20 and not more than 45 years of age on the date of his application for enrolment;

(b) can read and write in any one of the following languages, namely English, Tamil, Telugu, Malayalam, Kannada and Hindustani;

(c) is of good character; and

(d) is a resident of the area.

(2) Every person desiring to be appointed as a Home Guard shall make an application in Form A to the Commissioner of Police in the presidency town and to the District Superintendent of Police concerned, elsewhere.

(3) The selection for appointment as Home Guards shall be made by a Recruitment Committee appointed by the Provincial Government.

(4) Every person selected by the Recruitment Committee for appointment as a Home Guard shall be medically examined and, if found fit, shall sign a pledge in Form B.

(5) The certificate of appointment to be issued to a Home Guard under section 4(2) of the Act shall be in Form C and shall be issued by the Provincial Commandant or, if no Provincial Commandant has been appointed, by the Commissioner of Police or the District Superintendent of Police, concerned xxxxxx as the case may be.

(6) A Home Guard shall be bound to serve the Provincial Government for a period of three years and shall be eligible for re-appointment on the expiry of that period, provided that no Home Guard shall be continued in service after he has completed his 55th year. The Commandant may however for sufficient reasons accept the resignation of a Home Guard or discharge him at any time before the expiry of the term of his appointment.

4. Organization. - (1) The Commandant of the Home Guards in each area shall be a whole time paid officer of gazetted rank appointed by the Government. He will be assisted by a whole-time paid Adjutant appointed by the Inspector-General of Police, and such other officers including company commanders, platoon commanders and section commanders as may be appointed by the Inspector-General of Police or officers authorized by him in this behalf.

(2) Home Guards shall be organized in sections, each of which will have a strength of ten, including the section commander and his assistants. Four sections shall make a platoon which will be under the command of a platoon commander. Four platoons shall make a company, which will be under a company commander. Home Guards shall be attached to such Police stations as may be specified by the Commissioner of Police in the presidency town and the District Superintendent of Police concerned, elsewhere, to facilitate their training and their being called out to aid the Police in emergencies.

5. Training. - Every Home Guard shall, on enrolment, be required to undergo a course of training for a period of not more than three months in physical exercise, arms drill, lathi drill, musketry, fire-fighting, first aid, and duties and powers of Home Guards, During this period, training shall be given for not more than two hours a day and for not more than three days a week. After the completion of the training the Home Guards may be called in once a week for practice. Every Home Guardx may h also be required to undergo a refresher course for a period of not more than two weeks at an annual camp

6. Duties. - (1) The Home Guards may be called out for training by the Station House Officer of the station to which they are attached by an order issued orally or in writing, specifying the days on which, the hours for which, and the places at which they should report themselves for training. They may be called out for duty through the Station House Officer of the Police station to which they are attached, by an order in Form D, signed by the Commissioner of Police or xxxxxxx the District Superintendent of Police concerned,, as the case may be, in whose opinion their assistance is necessary for the prevention of commission of offences, for the protection of life and property, for the suppression of disturbances, for the control and regulation of traffic and assemblies, for the collection of information or generally for assistance to the police in the discharge of their duties in connexion with the protection of persons, the security of property, and the preservation of public order and tranquility:

Provided that any police officer not below the rank of Inspector of Police may, in an emergency, and if there is not sufficient time to obtain the orders of the Commissioner of Police or the District Superintendent of Police concerned, as the case may be, call out, in the manner and for the purpose stated above, any Home Guard within his jurisdiction; but any such action shall be reported immediately to the Commissioner of Police, Madras, or the District Superintendent of Police concerned, as the case may be.

~~7. Discipline.--(1) The Commandant shall comply with all orders in regard to the training of Home Guards and their use in aid of the Police issued by the Commissioner of Police or the District Superintendent of Police concerned, as the case may be.~~

(2) Subject to the general control of the Commissioner of Police in the presidency town and the District Superintendent of Police concerned elsewhere, the Commandant may exercise all the powers conferred by section 6 of the Act on the Commissioner of Police, Madras, or the District Superintendent of Police concerned, as the case may be.

7. Discipline--(1) The Commandant shall comply with all orders in regard to the training of Home Guards and their use in aid of the Police issued by the Commissioner of Police or the District Superintendent of Police concerned, as the case may be.

(2) A Home Guard shall perform such duties and functions as may be assigned to him and shall obey every order of his superior officers.

(3) For the purposes of administration and discipline, the Home Guards shall, subject to the provisions of sub-rule (5), be under the control of their Commandant and, in his absence, of the Adjutant or the other staff officers, if any, appointed to assist the Commandant:

Provided that, if a contingent of Home Guards, is acting in conjunction with a police force, they shall be subject to the control of the senior Police Officer present who shall be not below the rank of Inspector.

(4) The Commandant may, for good and sufficient reasons, impose on any Home Guard any of the following penalties:-

(a) reprimand;
(b) extra duty
(c) withholding of payment of duty allowance;
(d) suspension;
(e) reduction of rank
(f) removal; and
(g) dismissal.

No appeal shall lie against any of these punishments. In all cases of disciplinary action, a reasonable opportunity shall ordinarily be given to the delinquent Home Guard to show cause against the penalty proposed to be imposed on him, but in exceptional cases, when this course is not possible, it may be waived for special reasons to be recorded in writing.

(5) The Commissioner of Police in the presidency-town and the District Superintendent of Police concerned elsewhere may for good and sufficient reasons, direct the suspension, removal, or dismissal of a Home Guard from his office.

(6) The superintendence of the Home Guards shall be vested in the Inspector-General of Police and shall be exercised by him through the Commissioner of Police in the presidency-town and through the Special Officer for the Special Armed Police Units and the District Superintendent of Police concerned elsewhere.

8. Uniform. (1) The following uniform shall be supplied to the Home Guards including the section, platoon and company commanders

(i) A grey mazri bush shirt and khaki shorts for officers of and above the rank of platoon commanders and a grey mazri shirt and khaki shorts for others;

(ii) solar hat;

(iii) [illegible] brown leather shoes;

(iv) khaki cotton stockings; and

(v) a whistle

The Home Guards shall wear the letters "H.G." on their shoulder straps and their officers will wear, in addition, the following badges of rank in brass:-

(i) All Commandants including the Commandant in the presidency-town.	A Crown.
(ii) All Adjutants including the Adjutant in the presidency town.	.. Three Stars.
(iii) Company Commanders	.. Two Stars.
(iv) Platoon Commanders	.. One Star.
(v) Assistant Platoon Commanders	.. Three bars.
(vi) Section Leaders.	.. Two bars.
(vii) Assistant Section Leaders	.. One bar.

(2) All Home Guards including section, platoon and company commanders shall be supplied with two sets of uniform at Government cost on enrolment, provided that officers of the rank of Adjutants and above shall not be eligible for free supply of uniform.

(3) The articles mentioned in sub-rule (1) will be supplied only at such intervals as the Government may, from time to time, by order specify.

(4) When a member of the Home Guard resigns or is suspended or dismissed or removed from office, he shall immediately deliver to the Commandant or to such person and at such place as he may specify his certificate of appointment and the articles of uniform and the equipment supplied to him at the cost of the Government. The said officer or person shall give a receipt for the articles delivered to him.

9. Responsibility for pecuniary loss caused to Government by negligence.-- Members of the Home Guards shall be liable to make good any pecuniary loss caused to the Government by their misuse of, or negligence while in charge of, Government property including arms and accountrements entrusted to them.

10. Remuneration.--Service in the Home Guard will be entirely honorary and no pay shall be admissible to the members of the Home Guard. Duty allowance will however be admissible to the members of the Home during the period of their training and when called out for duty at such rates as may be fixed by the Government from time to time.

(By order of His Excellency the Governor)

S.A.IYENGAR,
SECRETARY TO GOVERNMENT.

To the Inspector-General of Police, Madras.
To the Commissioner of Police, Madras.

P.T.O

To all District Magistrates.
To the Superintendent, Government Press, for publication of the notification in the Fort St. George Gazette.
Copy to the Legal Department.
Copy to the Public (General) Department.
Copy to the Finance Department.

APPENDIX.

Form A.

Home Guard Enrolment Form.

1. Name in full.

2. Address (Residence)
(Business).

3. Date of birth.

4. Place of birth (Town)
(District)

5. Occupation or profession.

6. Education (Degrees held or examinations passed). (Special qualifications such as knowledge of foreign languages or of stenography or typing should be mentioned).

7. Particulars of war service or military or naval training with any First Aid or Ambulance Corps.

8. Father's name.

9. Father's occupation or profession.

10. Do you hold an arms licence? If you do, give description of the weapon.

11. Have you received any training how to use fire arms?

12. Do you own a motor vehicle? If you do, give its description and state whether you would join the motorised section; if not, whether you would keep your vehicle at the disposal of the motorised section.

I declare that the above particulars are correct.

I understand that--

(a) in an emergency I shall be liable to be called out on duty at any time and for any period;
(b) I hereby take the following pledge, namely:-

residing at
do [illegible] solemnly affirm that I will be faithful and bear true allegiance to the Government of Madras and that I will as in duty bound honestly and faithfully serve as a Home Guard and I will observe all lawful commands of any superior officer even to the period of my life.

Date.

(Signature).

P.T.O.

Certificates of character signed by two gentlemen of position who have known you personally for at least three years should be written in the space below.

1.

Signature of the person who gives the certificate.

Address.
Telephone No.

2.

Signature of the person who gives the certificate.

Address.
Telephone No.

Form B.

FORM OF AFFIRMATION.

I.....residing at.....
do solemnly affirm that I will be faithfully and bear true allegiance to the Government of Madras and that I will as in duty bound honestly and faithfully serve as a Home Guard and I will observe all lawful commands of any superior officer even to the peril of my life.

Duly affirmed before me.

Signature of Attesting Officer.

Date. Designation

Form C.

FOR OF CERTIFICATE.

1. Name
2. Son of
3. Caste
4. Resident of

has been appointed a member of the Home Guards under section 4(2) of the Madras Home Guards Act, 1948. When lawfully on duty, he shall have the same powers, previleges and protection as an officer of the Police appointed under the Madras City Police Act. 1888. the Madras District Police Act, 1859.

Place
Date Date of appointment.

Commissioner of Police, Madras.
Commandant, Home Guards.
District Superintendent of Police.

Seal. Provincial Commandant.
Madras.

FORM D.

COMMAND CERTIFICATE.

Whereas an emergency has arise, I Commissioner of Police/District Superintendent of Police in exercise of the powers conferred on me by section of the Madras Home Guards Act, 1948, hereby call out the Home Guards of area.

Seal.

Commissioner of Police/District Superintendent of Police.

(True copy)

Superintendent,
Madras Record Office.

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